IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL SECOND APPEAL No. 346 of 2006

GAIRI DEVI
V/S
THE NAGAR PALIKA SIROHI & ANR.

Mr. SANJEET PUROHIT, for the appellant / petitioner

Date of Order : 19.9.2006

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the appellant and perused the impugned judgments.

Admittedly i.e. even according to the plaintiff, the plaintiff did not claim any lawful title over the property, and filed the suit only on the basis of the old possession. It has been found that the plaintiff had no legal right over the property, and it has also been considered that the application filed by the appellant for regularisation had already been rejected, apart from the fact that, as admitted by the plaintiff while in the witness-box that her hutment and fencing had been demolished by bulldozer some 5-6 years back.

All said and done, in my view, the learned Courts below have rightly rejected the plaintiff's prayer for injunction claimed by trespasser against the true owner being the Municipality.

The appeal thus, does not involve any substantial question of law. The same is, therefore, dismissed summarily.

(N P GUPTA),J.

/tarun/